

**SUMMARY REPORT OF INVESTIGATION****I. EXECUTIVE SUMMARY**

Date of Incident:	December 10, 2017
Time of Incident:	10:00 p.m.
Location of Incident:	[REDACTED]
Date of COPA Notification:	December 11, 2017
Time of COPA Notification:	3:56 p.m.

On December 10, 2017, [REDACTED] was parked at a gas station when officers pulled him behind him and initiated a traffic stop. The officers handcuffed and detained Mr. [REDACTED] for allegedly having a warrant from [REDACTED], Illinois. While Mr. [REDACTED] was detained, an officer searched his vehicle. The officers performed a name check on Mr. [REDACTED], which was clear. Mr. [REDACTED] was unhandcuffed and released. The officers completed an Investigatory Stop Report regarding the incident on December 21, 2017, eleven days after it occurred. Mr. [REDACTED] was not given a receipt for the investigatory stop. COPA's investigation determined that the officer's failure to complete an Investigatory Stop Report before they ended their tour of duty on December 11, 2017, was a violation of department policy.

**II. INVOLVED PARTIES**

Involved Officer #1:	[REDACTED], Star# [REDACTED], Employee ID# [REDACTED], Appointed: [REDACTED], 2010, Police Officer, DOB: [REDACTED], 1985, Male, Caucasian
Involved Officer #2:	[REDACTED], Star# [REDACTED], Employee ID# [REDACTED], Appointed: [REDACTED], 1991, Police Officer, DOB: [REDACTED], 1969, Male, Hispanic
Involved Officer #3:	[REDACTED] <sup>1</sup> , Star# [REDACTED], Employee ID# [REDACTED], Appointed: [REDACTED], 2003, Sergeant, DOB: [REDACTED], 1980, Male, Caucasian
Involved Officer #4:	[REDACTED], Star # [REDACTED], Employee ID# [REDACTED], Appointed: [REDACTED], 1998, Sergeant, DOB: [REDACTED], 1971, Male, Caucasian
Involved Individual #1:	[REDACTED], DOB: [REDACTED], 1979, Male, Black

<sup>1</sup> At the time of this incident, Sgt. [REDACTED] was the rank of a police officer with a star number [REDACTED]. He was promoted to the rank of sergeant on [REDACTED], 2018. He is referred to in this report by his current rank.

**III. ALLEGATIONS**

<b>Officer</b>	<b>Allegation</b>	<b>Finding/ Recommendation</b>
Officer [REDACTED]	<p>1. On December 10, 2017, at approximately 10:15 p.m., at [REDACTED], it is alleged that you conducted an investigatory stop without justification, in violation of Rule 6.</p> <p>2. On December 10, 2017, at approximately 10:15 p.m., at [REDACTED], it is alleged that you searched a vehicle without justification, in violation of in violation of Rule 6.</p> <p>3. It is alleged that you did not complete an Investigatory Stop Report (ISR) for your December 10, 2017, through December 11, 2017, tour of duty, regarding a stop that occurred on December 10, 2017, at approximately 10:15 p.m. at [REDACTED] [REDACTED], in violation of Rules 6 and 10.</p> <p>4. On December 10, 2017, at approximately 10:15 p.m., at [REDACTED], it is alleged that you did not provide the complainant, [REDACTED], with an Investigatory Stop Receipt, in violation of Rules 6 and 10.</p>	Exonerated    Not Sustained   Sustained / Reprimand   Not Sustained
Officer [REDACTED] [REDACTED]	<p>1. On December 10, 2017, at approximately 10:15 p.m., at [REDACTED], it is alleged that you conducted an investigatory stop without justification, in violation of Rule 6.</p> <p>2. On December 10, 2017, at approximately 10:15 p.m., at [REDACTED], it is alleged that you searched a vehicle without justification, in violation of in violation of Rule 6.</p> <p>3. It is alleged that you did not complete an Investigatory Stop Report (ISR) for your December 10, 2017, through December 11, 2017, tour of duty, regarding a stop that occurred on December 10, 2017, at approximately 10:15 p.m. at [REDACTED] [REDACTED], in violation of Rules 6 and 10.</p>	Exonerated   Not Sustained   Sustained / Reprimand

	4. On December 10, 2017, at approximately 10:15 p.m., at [REDACTED], it is alleged that you did not provide the complainant, [REDACTED], with an Investigatory Stop Receipt, in violation of Rules 6 and 10.	Not Sustained
Sergeant [REDACTED] [REDACTED]	<p>1. On December 10, 2017, at approximately 10:15 p.m., at [REDACTED], it is alleged that you conducted an investigatory stop without justification, in violation of Rule 6.</p> <p>2. On December 10, 2017, at approximately 10:15 p.m., at [REDACTED], it is alleged that you searched a vehicle without justification, in violation of Rule 6.</p> <p>3. It is alleged that you did not complete an Investigatory Stop Report (ISR) for your December 10, 2017, through December 11, 2017, tour of duty, regarding a stop that occurred on December 10, 2017, at approximately 10:15 p.m. at [REDACTED] [REDACTED], in violation of Rules 6 and 10.</p> <p>4. On December 10, 2017, at approximately 10:15 p.m., at [REDACTED], it is alleged that you did not provide the complainant, [REDACTED], with an Investigatory Stop Receipt, in violation of Rules 6 and 10.</p>	Exonerated  Not Sustained  Sustained / Reprimand  Not Sustained
Sergeant [REDACTED] [REDACTED]	1. It is alleged that you did not ensure that an Investigatory Stop Report (ISR) was properly completed and conformed to departmental policy regarding a stop that occurred at approximately 10:15 p.m., at [REDACTED] [REDACTED] on December 10, 2017, in violation of Rules 6 and 10.	Exonerated

#### IV. APPLICABLE RULES AND LAWS

##### Rules

- 1. Rule 6: Disobedience of an order or directive, whether written or oral.
- 2. Rule 10: Inattention to duty.

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#### General Orders

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1. G06-01-01 Field Arrest Procedures
  2. G06-01-02 Restraining Arrestees
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#### Special Orders

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1. S04-13-09 Investigatory Stop System
  2. S04-19-01 Consent to Search Incidents
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#### Federal Laws

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1. United States Constitution, Amendment IV

## V. INVESTIGATION<sup>2</sup>

### a. Interviews

In an interview with COPA on December 11, 2017, [REDACTED]<sup>3</sup> related that he drives a silver [REDACTED] Alero with slightly tinted windows. On December 10, 2017, he pulled into the [REDACTED] Gas Station. He had been sitting there for two to three minutes when a tactical officer, now known to be Sgt. [REDACTED], opened Mr. [REDACTED]'s driver's side door and began questioning him about a warrant Mr. [REDACTED] allegedly had out of Oak Lawn, IL. Mr. [REDACTED] was not aware of the warrant. According to Mr. [REDACTED], the officers pulled him from the vehicle, ran his identification, and searched his vehicle.

The officers handcuffed Mr. [REDACTED] and put him in front of the tactical vehicle while a second officer, now known to be PO [REDACTED], searched his vehicle. Mr. [REDACTED] related he never gave permission for the officers to search the vehicle and the officers never asked for permission. Mr. [REDACTED] said after PO [REDACTED] searched his car, the officers questioned him about a police sergeant's business card they found in the car. Mr. [REDACTED] explained to the officers that the sergeant is a mentor to him and of no relation. When the name check came back that there was no warrant,<sup>4</sup> the officers unhandcuffed Mr. [REDACTED] and released him.

In an interview with COPA on March 8, 2018, Police Officer [REDACTED], # [REDACTED]<sup>5</sup>, related that on December 10, 2017, he was a surveillance officer for an investigation his CPD team was conducting with the FBI into a particularly violent sect of the Gangster Disciples in that area. PO [REDACTED] was between Marshfield and Paulina and observed a silver sedan traveling eastbound on [REDACTED] Street at a high rate of speed with no lights on. The vehicle drew PO [REDACTED]'s attention

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<sup>2</sup> COPA conducted a thorough and complete investigation. The following is a summary of the material evidence gathered and relied upon in our analysis.

<sup>3</sup> Att. # 9.

<sup>4</sup> Mr. [REDACTED] related that he went to the Oak Lawn Police Department prior to coming to COPA and learned that there was no warrant for him on file. Officers mentioned something about an Oak Lawn warrant during an unrelated traffic stop in the summer of 2017.

<sup>5</sup> Att. # 21.

because he has seen cars drive in this manner either before or after a drive-by shooting takes place. Either PO [REDACTED] or his sergeant, now known to be Sgt. [REDACTED], informed the enforcement car about the speeding vehicle. PO [REDACTED] was not present when the enforcement car stopped the vehicle and did not see the driver (Mr. [REDACTED]) at any point.

In an interview with COPA on January 26, 2018, Sergeant [REDACTED], # [REDACTED]<sup>6</sup>, related that on December 10, 2017, he and POs [REDACTED] and [REDACTED] were notified by the surveillance officer, PO [REDACTED], that there was a silver vehicle with slightly tinted windows traveling at a high rate of speed with no lights on in the area. Sgt. [REDACTED] related that he and POs [REDACTED] and [REDACTED] then drove around the area looking for a vehicle that PO [REDACTED] described. Sgt. [REDACTED] observed a vehicle that matched the description at the [REDACTED] gas station. Sgt. [REDACTED] recalled that the officers ran the license plate of the vehicle at the gas station and the LEADS/PDT response came back that the owner of the vehicle appeared to have an active warrant out of Oak Lawn. Sgt. [REDACTED] initiated a traffic stop, turned on his emergency lights, and approached the vehicle parked at the gas pumps. According to Sgt. [REDACTED], his reason for conducting the investigatory stop was the radio transmission from PO [REDACTED] alleging the traffic violations and the PDT transmission information.

Sgt. [REDACTED] approached the driver, now known to be [REDACTED], and engaged him in conversation. Sgt. [REDACTED] said the driver's license provided by Mr. [REDACTED] matched the name issued to the plates which showed a warrant for the driver. Sgt. [REDACTED] asked Mr. [REDACTED] to step out of the vehicle. Once he did, Sgt. [REDACTED] placed him in handcuffs. Sgt. [REDACTED] gave Mr. [REDACTED]'s driver's license to PO [REDACTED] to run and brought Mr. [REDACTED] to the front of the police vehicle to wait. Sgt. [REDACTED] conducted a pat-down and a search of several pockets on Mr. [REDACTED]'s person. According to Sgt. [REDACTED], Mr. [REDACTED] gave verbal consent to search the vehicle to him and PO [REDACTED]. Sgt. [REDACTED] recalled that PO [REDACTED] searched Mr. [REDACTED]'s vehicle while Mr. [REDACTED] was in custody. Nothing was discovered in the vehicle during the search and the name check came back clear of warrants. The officers released Mr. [REDACTED] from custody and he was free to go.

In a second interview with COPA on May 14, 2018, Sgt. [REDACTED]<sup>7</sup> related that at the time the [REDACTED] stop occurred, he, PO [REDACTED], and PO [REDACTED] were the only enforcement car on duty, with the other cars acting as surveillance cars. Therefore, for officer safety reasons, the Investigatory Stop Report was not completed at that time. Sgt. [REDACTED] had the intention to complete the ISR at a later point but reported that he forgot to do so. Sgt. [REDACTED] also related that, at the end of the stop, Mr. [REDACTED] refused the Investigatory Stop Receipt. Sgt. [REDACTED] completed the ISR on December 21, 2017, when Sgt. [REDACTED] followed up with him and reminded him to do so.

In an interview with COPA on February 21, 2018, Police Officer [REDACTED], # [REDACTED]<sup>8</sup>, related that on December 10, 2017, he, PO [REDACTED], and Sgt. [REDACTED] were assigned to an area of high gang conflict. They received information from a surveillance vehicle that there was a vehicle traveling at a high rate of speed with its lights off. The officers observed a vehicle that

<sup>6</sup> Att. # 29 and 30.

<sup>7</sup> Att. # 42.

<sup>8</sup> Att. # 23 and 24.

matched the description given. The officers ran a license plate search and learned of a possible warrant out of Oak Lawn for the owner of the vehicle, so they then initiated a traffic stop on the vehicle. According to PO [REDACTED], the officers stopped the car because of the warrant and because the vehicle was traveling at a high rate of speed with its lights off, which indicated possible gang activity.

PO [REDACTED] was positioned far back on the driver's side while Sgt. [REDACTED] approached the driver, now known to be [REDACTED]. PO [REDACTED] was positioned at the passenger's side door. Sgt. [REDACTED] had a conversation with Mr. [REDACTED] and asked him to step out of the vehicle. Because the Oak Lawn warrant associated with the license plate matched with the name on Mr. [REDACTED]'s driver's license, Sgt. [REDACTED] placed Mr. [REDACTED] into handcuffs in front of the tactical vehicle. Once Mr. [REDACTED] was in custody, PO [REDACTED] performed what he referred to as a cursory search of the vehicle, which consisted of looking for contraband or any items of value that should be inventoried then brought to the station when the individual is processed and booked. PO [REDACTED] did not search Mr. [REDACTED]'s glove compartment or trunk. One of the other officers conducted a name check on Mr. [REDACTED] while PO [REDACTED] searched the vehicle. The check was negative for warrants. At that point, the officers released Mr. [REDACTED] from custody.

PO [REDACTED] related that Sgt. [REDACTED] completed an Investigatory Stop Report related to this incident. During the incident, one of the other officers told PO [REDACTED] that Mr. [REDACTED] had given consent to the search of his vehicle. PO [REDACTED] did not complete any paperwork regarding the search of the vehicle.

In a second interview with COPA on May 14, 2018, PO [REDACTED]<sup>9</sup> related that he, Sgt. [REDACTED], and PO [REDACTED], were the only enforcement car on duty for this incident. The other cars were acting as surveillance cars, so it would have been dangerous to the surveillance officers for the enforcement car to go into the station and do paperwork. PO [REDACTED] added that the officers were busy with other things and may have forgotten to complete the ISR. According to PO [REDACTED], Sgt. [REDACTED] told him that [REDACTED] refused the Investigatory Stop Receipt.

In an interview with COPA on February 21, 2018, Police Officer [REDACTED], # [REDACTED]<sup>10</sup>, related that on December 10, 2017, he, PO [REDACTED], and Sgt. [REDACTED] were on patrol together. PO [REDACTED] related that they received a radio transmission that a silver vehicle was driving in the area at a high rate of speed and with no lights on. A short time later, the officers observed a silver vehicle parked at the gas station that fit the description of the speeding vehicle. The officers immediately ran the plates and received information indicating that the owner was [REDACTED], who had a possible warrant from Oak Lawn. The warning "armed and dangerous" also appeared on their computer.

The officers conducted a traffic stop. PO [REDACTED] recalled that Sgt. [REDACTED] approached the driver's side and had a conversation with Mr. [REDACTED] that PO [REDACTED] did not hear. Sgt. [REDACTED] took Mr. [REDACTED] out of the vehicle, placed him into custody, and patted him down. PO [REDACTED] searched the vehicle. PO [REDACTED] did not know why PO [REDACTED] performed the search. PO [REDACTED] related that the officers removed Mr. [REDACTED] from the vehicle and placed

<sup>9</sup> Att. # 46.

<sup>10</sup> Att. # 26 and 27.

him in handcuffs because of the warrant and the warning that he was armed and dangerous. PO [REDACTED] ran Mr. [REDACTED]'s identification. He received information from dispatch that Mr. [REDACTED] was clear of warrants. The officers then released Mr. [REDACTED].

In a second interview with COPA on May 11, 2018, PO [REDACTED]<sup>11</sup> related that the officers did not complete the ISR the night of the stop because of officer safety. PO [REDACTED] related that they typically rotate who completes this kind of paperwork, but he does not recall if it was his turn or his partners' turn to complete the form. According to PO [REDACTED], Mr. [REDACTED] declined the Investigatory Stop Receipt.

In an interview with COPA on May 16, 2018, Sergeant [REDACTED], # [REDACTED]<sup>12</sup> related that the night of the stop the officers were working with the FBI on a covert mission. Sgt. [REDACTED] related that for officer safety reasons, he instructed the officer not to go into the station to complete the ISR at that time. Sgt. [REDACTED] related that after that, it "slipped their minds, honest mistake."<sup>13</sup> Sgt. [REDACTED] recalled that he learned that a complaint had been filed about the incident on December 21, 2017. At that time, Sgt. [REDACTED] asked the officers if they remembered to complete the ISR. They realized that they had not, so they completed it at that time, eleven days after the incident. Sgt. [REDACTED] related that he knew Sgt. [REDACTED] offered [REDACTED] an Investigatory Stop Receipt but did not know if Mr. [REDACTED] refused. Sgt. [REDACTED] did not specify whether he observed this or learned about it from another officer.

#### b. Digital Evidence

Security video from the [REDACTED] Gas Station<sup>14</sup> shows the interaction between the officers and Mr. [REDACTED]. After talking to Sgt. [REDACTED] and handing him what appears to be a driver's license, Mr. [REDACTED] got out of the car on his own, put his hands in the air, and turned his back to the officers. Sgt. [REDACTED] patted Mr. [REDACTED] down and, with PO [REDACTED]'s assistance, handcuffed him. PO [REDACTED] initially performed a cursory search of the vehicle by shining a flashlight around the driver's seat and the area immediately behind it. After Sgt. [REDACTED] arrived at the station and the officers consulted something inside the police vehicle (presumably their computer), PO [REDACTED] searched Mr. [REDACTED]'s car again. Due to the angle of the camera, the extent of the search is not clear, but it is more thorough than the initial search. Mr. [REDACTED] was standing in handcuffs between the rear of his car and the front of the officers' vehicle with the other officers while this search was being conducted. After the search, PO [REDACTED] removed Mr. [REDACTED]'s handcuffs. After showing the officers something that was in his vehicle, Mr. [REDACTED] went into the gas station. The officers left the area soon after that. From the time the officers arrived at the gas station until the end of their interaction with Mr. [REDACTED], approximately eight minutes elapsed.

<sup>11</sup> Att. # 44.

<sup>12</sup> Att. # 40.

<sup>13</sup> Att. # 40, at 4:55.

<sup>14</sup> Att. # 11.

### c. Documentary Evidence

The **Unit History**<sup>15</sup> for Beat [REDACTED] shows Sgt. [REDACTED] logged onto the vehicle's workstation computer at 5:05 p.m. on December 10, 2017. At 10:43 p.m., the computer was used to check the Illinois plate [REDACTED]. At 10:47 p.m., the computer was used to check driver's license number [REDACTED].<sup>16</sup>

The **LEADS record**<sup>17</sup> for [REDACTED] reports Mr. [REDACTED] as "armed and dangerous with previous Vice Lord gang activity." The report also references a warrant number from the Oak Lawn Police Department and the note: "possible hit – verify driver and vehicle." The report indicates that Mr. [REDACTED] is a prior parolee. The report also states that Mr. [REDACTED]'s information was checked by the Chicago Police Department three times on December 10, 2017, at 1:12 p.m., 10:43 p.m., and 10:47 p.m.; and by the Oak Lawn Police Department twice on December 11, 2017, at 12:41 p.m. and 12:53 p.m.

The **Investigatory Stop Report (ISR)**,<sup>18</sup> which was authored by Sgt. [REDACTED] on December 21, 2017, contains an account of the encounter that is consistent with what the officers reported to COPA. The report states that searches beyond a protective pat-down of Mr. [REDACTED]'s effects and vehicle were conducted based both on the preliminary information that Mr. [REDACTED] may have had an active criminal warrant, and on his consent. After the officers confirmed with OEMC that Mr. [REDACTED] did not actually have a warrant, they released him.

## VI. ANALYSIS

### a. Investigatory Stop – Sergeant [REDACTED] and Officers [REDACTED] and [REDACTED]

According to Chicago Police Department Special Order S04-13-01(II)(A): Investigatory Stop System, an Investigatory Stop is defined as "[t]he temporary detention and questioning of a person in the vicinity where the person was stopped based on Reasonable Articulable Suspicion that the person is committing, is about to commit, or has committed a criminal offense. The suspect may be detained only for the length of time necessary to confirm or dispel the suspicion of criminal activity." The officers were working a joint investigation into gang activity in this neighborhood when they received a report that a car was driving with no lights on and speeding, which could possibly indicate a car coming from or going to conduct a drive-by shooting or other gang-related activity. The officers stopped Mr. [REDACTED]'s vehicle because it met the description of the vehicle provided by the surveillance officer. The officers also learned of a possible warrant and gang activity when they checked Mr. [REDACTED]'s license plate. The possible Oak Lawn warrant was corroborated by the LEADS information COPA obtained and by Mr. [REDACTED]'s own account that officers mentioned a possible Oak Lawn warrant during a previous stop in the summer of 2017.

<sup>15</sup> Att. # 15.

<sup>16</sup> Mr. [REDACTED]'s driver's license number is [REDACTED], one digit lower than the number checked.

<sup>17</sup> Att. # 16. COPA obtained this record on December 11, 2017. COPA does not have a printout of the information that appeared on the officers' PDT screen when they ran Mr. [REDACTED]'s information. In his interview with COPA, PO [REDACTED] confirmed that the information in the LEADS record that COPA obtained is the same as what was displayed to them on the date of the incident.

<sup>18</sup> Att. # 19 and 36.

Therefore, the finding for the allegation that Sgt. [REDACTED] and POs [REDACTED] and [REDACTED] stopped Mr. [REDACTED] without justification is **Exonerated**.

**b. Vehicle Search – Sergeant [REDACTED] and Officers [REDACTED] and [REDACTED]**

In his interview with COPA, Mr. [REDACTED] said he did not give officers consent to search his vehicle. Sgt. [REDACTED] reported that he did, PO [REDACTED] reported Sgt. [REDACTED] told him Mr. [REDACTED] consented, and PO [REDACTED] did not hear the conversation. Sgt. [REDACTED] also reported in the Investigatory Stop Report that Mr. [REDACTED] consented to both the protective pat-down of his person, as well as the vehicle search. Officers would have been permitted to search Mr. [REDACTED] if he had given them verbal consent to do so. Mr. [REDACTED]'s account of the incident was not totally consistent with the video evidence, specifically regarding the video showing him get out of his car on his own rather than one of the officers pulling him from the car as he contended. The video also shows conversation between Mr. [REDACTED] and Sgt. [REDACTED] prior to any search taking place, although there is no audio recording of that conversation. There are no other witnesses or other evidence to prove or disprove the allegation that Sgt. [REDACTED], and POs [REDACTED] and [REDACTED] conducted a vehicle search without justification and therefore the finding for this allegation is **Not Sustained**.

**c. Investigatory Stop Report – Sergeant [REDACTED] and Officers [REDACTED] and [REDACTED]**

According to Special Order S04-13-09(VII)(B)(4), “Sworn members are responsible for entering all Investigatory Stop Reports created during their tours of duty into the electronic system as soon as possible but no later than the end of their tours of duty consistent with Item VIII-B.” The Investigatory Stop Report for this incident was not completed until December 21, 2017, 11 days later. The involved officers reported that they did not complete the report that night because they were the only enforcement cars in the area and it would have been dangerous for other officers on the beat for them to return to the station to complete paperwork at that time. Sgt. [REDACTED] confirmed that he instructed the officers to wait until later to complete the ISR. They intended to complete the report later in their shift, but forgot to do so. Nevertheless, the Special Order’s requirement means that it was the officer’s responsibility to remember to complete it that night. Forgetting to do so is not a sufficient reason for failing to complete an ISR. Therefore, the allegation that Sgt. [REDACTED] and POs [REDACTED] and [REDACTED], did not complete the ISR prior to the end of their tour of duty is **Sustained**.

**d. Investigatory Stop Report – [REDACTED]**

Special Order S04-13-09(VIII)(C) details the supervisory responsibilities regarding Investigatory Stop Reports. The order specifically requires that *reviewing* supervisors approve or reject all submitted reports by the end of their tour of duty and review the ISRs to ensure that they are properly completed. In this case, Sgt. [REDACTED] was on scene for the stop, had first-hand knowledge of the detention and searches, and provided instruction on delaying the completion of the ISR until later in the involved officers’ tour of duty. The order does not require that Sgt. [REDACTED] ensure that the officers properly completed the ISR for Mr. [REDACTED]. Therefore, the allegation that Sgt. [REDACTED] failed to ensure that the ISR was properly completed is **Exonerated**.

e. **Investigatory Stop Receipt – Sergeant [REDACTED] and Officers [REDACTED] and [REDACTED]**

According to Special Order S04-13-09(VIII)(A)(3), an Investigatory Stop Receipt should be issued for each stop that involves a pat down or other search. [REDACTED] reported that the officers did not provide him with an Investigatory Stop Receipt. Sgt. [REDACTED] and POs [REDACTED] and [REDACTED] reported that Mr. [REDACTED] was offered but refused the receipt. COPA is unable to prove or disprove whether a receipt was offered. Therefore, the allegation that officers did not provide Mr. [REDACTED] and Investigatory Stop Receipt is **Not Sustained**.

**VII. RECOMMENDED DISCIPLINE FOR SUSTAINED ALLEGATIONS**

a. **Officer [REDACTED]**

i. **Complimentary and Disciplinary History**

PO [REDACTED] has been a CPD member since September 1, 2010. In that time, he has received 67 Honorable Mentions, 4 Department Commendations, 2 Complimentary Letters, and 1 Police Officer of the Month Award. In the last seven years, PO [REDACTED] has not received any discipline.

ii. **Recommended Penalty, by Allegation**

For Allegation #3, COPA recommends **Reprimand**. While the failure to complete the ISR may have been a simple oversight, it is essential that civilian encounters are properly documented at the time they occur, so as to provide better accountability for officer actions. PO [REDACTED] recognized the error and is unlikely to make the same one again.

b. **Officer [REDACTED]**

i. **Complimentary and Disciplinary History**

PO [REDACTED] has been a CPD member since December 2, 1991. In that time, he has received 132 Honorable Mentions, 20 Department Commendations, 3 Complimentary Letters, and 5 Joint Operations Awards. In the last seven years, he has not received any discipline.

ii. **Recommended Penalty, by Allegation**

For Allegation #3, COPA recommends **Reprimand**. While the failure to complete the ISR may have been a simple oversight, it is essential that civilian encounters are properly documented at the time they occur, so as to provide better accountability for officer actions. PO [REDACTED] recognized the error and is unlikely to make the same one again.

c. **Sergeant [REDACTED]**

**i. Complimentary and Disciplinary History**

Sgt. [REDACTED] has been a CPD member since November 24, 2003. In that time, he has received 74 Honorable Mentions, 14 Department Commendations, 3 Complimentary Letters, 1 Recognition from Outside Governmental Agency Award, 1 Joint Operations Award, and 1 Superintendent's Award of Valor. In the last seven years, the only discipline Sgt. [REDACTED] received was a SPAR for a court appearance violation in 2017.

**ii. Recommended Penalty, by Allegation**

For Allegation #3, COPA recommends **Reprimand**. While the failure to complete the ISR may have been a simple oversight, it is essential that civilian encounters are properly documented at the time they occur, so as to provide better accountability for officer actions. Sgt. [REDACTED] recognized the error and is unlikely to make the same one again.

**VIII. CONCLUSION**

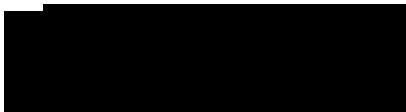
Based on the analysis set forth above, COPA makes the following findings:

Officer	Allegation	Finding/ Recommendation
Officer [REDACTED]	<p>1. On December 10, 2017, at approximately 10:15 p.m., at [REDACTED], it is alleged that you conducted an investigatory stop without justification, in violation of Rule 6.</p> <p>2. On December 10, 2017, at approximately 10:15 p.m., at [REDACTED] it is alleged that you searched a vehicle without justification, in violation of in violation of Rule 6.</p> <p>3. It is alleged that you did not complete an Investigatory Stop Report (ISR) for your December 10, 2017, through December 11, 2017, tour of duty, regarding a stop that occurred on December 10, 2017, at approximately 10:15 p.m. at [REDACTED] [REDACTED], in violation of Rules 6 and 10.</p> <p>4. On December 10, 2017, at approximately 10:15 p.m., at [REDACTED], it is alleged that you did not provide the complainant, [REDACTED], with an</p>	Exonerated    Not Sustained   Sustained / Reprimand   Not Sustained

	Investigatory Stop Receipt, in violation of Rules 6 and 10.	
Officer [REDACTED] [REDACTED]	<p>1. On December 10, 2017, at approximately 10:15 p.m., at [REDACTED], it is alleged that you conducted an investigatory stop without justification, in violation of Rule 6.</p> <p>2. On December 10, 2017, at approximately 10:15 p.m., at [REDACTED], it is alleged that you searched a vehicle without justification, in violation of in violation of Rule 6.</p> <p>3. It is alleged that you did not complete an Investigatory Stop Report (ISR) for your December 10, 2017, through December 11, 2017, tour of duty, regarding a stop that occurred on December 10, 2017, at approximately 10:15 p.m. at [REDACTED] [REDACTED], in violation of Rules 6 and 10.</p> <p>4. On December 10, 2017, at approximately 10:15 p.m., at [REDACTED], it is alleged that you did not provide the complainant, [REDACTED], with an Investigatory Stop Receipt, in violation of Rules 6 and 10.</p>	Exonerated  Not Sustained  Sustained / Reprimand  Not Sustained
Sergeant [REDACTED] [REDACTED]	<p>1. On December 10, 2017, at approximately 10:15 p.m., at [REDACTED], it is alleged that you conducted an investigatory stop without justification, in violation of Rule 6.</p> <p>2. On December 10, 2017, at approximately 10:15 p.m., at [REDACTED], it is alleged that you searched a vehicle without justification, in violation of in violation of Rule 6.</p> <p>3. It is alleged that you did not complete an Investigatory Stop Report (ISR) for your December 10, 2017, through December 11, 2017, tour of duty, regarding a stop that occurred on December 10, 2017, at approximately 10:15 p.m. at [REDACTED] [REDACTED], in violation of Rules 6 and 10.</p>	Exonerated  Not Sustained  Sustained / Reprimand

	4. On December 10, 2017, at approximately 10:15 p.m., at [REDACTED] it is alleged that you did not provide the complainant, [REDACTED], with an Investigatory Stop Receipt, in violation of Rules 6 and 10.	Not Sustained
Sergeant [REDACTED] [REDACTED]	1. It is alleged that you did not ensure that an Investigatory Stop Report (ISR) was properly completed and conformed to departmental policy regarding a stop that occurred at approximately 10:15 p.m., at [REDACTED] [REDACTED] on December 10, 2017, in violation of Rules 6 and 10.	Exonerated

Approved:



July 2, 2019

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Andrea Kersten  
*Deputy Chief Administrator – Chief Investigator*

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Date

**Appendix A**

Assigned Investigative Staff

<b>Squad#:</b>	[REDACTED]
<b>Investigator:</b>	[REDACTED]
<b>Supervising Investigator:</b>	[REDACTED]
<b>Deputy Chief Administrator:</b>	Andrea Kersten